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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/784,770

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Yoichi Takada

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22850

7590

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EXAMINER

NAJARIAN, LENA

ART UNIT

PAPER NUMBER

3626

NOTIFICATION DATE

DELIVERY MODE

06/27/2008

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 10/784,770	<b>Applicant(s)</b> TAKADA ET AL.
	<b>Examiner</b> LENA NAJARIAN	<b>Art Unit</b> 3626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 24 February 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>20040224</u> .  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3 and 5-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Babula et al. (US 6,353,445 B1).

(A) Referring to claim 1, Babula discloses an information collection and provision system, comprising (abstract of Babula):

a first data table which stores medical apparatus information which indicates an operation state of a medical apparatus, acquired via a network (Fig. 1, col. 6, lines 56-67, and col. 1, line 65 – col. 2, line 8 of Babula);

user identifying unit which authenticates user identification information (ID) acquired from a remote terminal apparatus (col. 15, line 67 – col. 16, line 17 of Babula);

a second data table which stores report delivery condition information which is acquired from the terminal apparatus, in association with the user identification information (ID) (col. 10, lines 44-59 and col. 16, lines 18-56 of Babula);

a report delivery judging unit which judges whether or not it is a time for delivering a report on the basis of the first data table and the report delivery condition information (col. 19, lines 8-66 of Babula);

a report preparing unit which prepares a report on the basis of a result of judgment by the report delivery judging unit (col. 20, lines 30-45 of Babula); and

an output unit which outputs a result of preparation of a report by the report preparing unit via a network (col. 20, lines 46-59 of Babula).

(B) Referring to claim 2, Babula discloses wherein the report shows information on the number of examinations (col. 19, lines 19-27 of Babula). Insofar as the claim recites “at least one of,” it is immaterial whether or not the other elements are also disclosed.

(C) Referring to claim 3, Babula discloses wherein the report preparing unit includes a periodical report delivery judging unit: said periodical report delivery judging unit which decides to distribute a report in every predetermined period (col. 19, lines 60-66 and col. 14, line 60 – col. 15, line 4 of Babula). Insofar as the claim recites “at least one of,” it is immaterial whether or not the other elements are also disclosed.

(D) Referring to claim 5, Babula discloses an information collection and provision system, comprising (abstract of Babula):

a first data table which stores medical apparatus information which indicates an operation state of a medical apparatus, acquired via a network (Fig. 1, col. 6, lines 56-67, and col. 1, line 65 – col. 2, line 8 of Babula);

a user identifying unit which authenticates user identification information (ID) acquired from a remote terminal apparatus (col. 15, line 67 – col. 16, line 17 of Babula);

a second data table which stores report output format information which is acquired from the terminal apparatus, in association with the user identification information (ID) (col. 20, lines 30-45, col. 10, lines 44-59, and col. 16, lines 18-56 of Babula);

a report preparing unit which prepares a report for users using the medical apparatus information on the basis of the report output format information (col. 20, lines 30-45 of Babula); and

an output unit which outputs a result of preparation of a report by the report preparing unit via a network (col. 20, lines 46-59 of Babula).

(E) Referring to claim 6, Babula discloses an information collection and provision system, comprising (abstract of Babula):

a first data table which stores medical apparatus information which indicates an operation state of a medical apparatus, acquired via a network (Fig. 1, col. 6, lines 56-67, and col. 1, line 65 – col. 2, line 8 of Babula);

a user identifying unit which authenticates user identification information (ID) acquired from a remote terminal apparatus (col. 15, line 67 – col. 16, line 17 of Babula);

a second data table which stores report delivery time information which is acquired from the terminal apparatus, in association with the user identification information (ID) (col. 12, lines 5-41, col. 10, lines 44-59, and col. 16, lines 18-56 of Babula);

a report delivery judging unit which judges whether or not it is a time for delivering a report on the basis of the first data table and the medical apparatus information (col. 19, lines 8-66 of Babula);

a report preparing unit which prepares a report on the basis of the result of judgment by the report delivery judging unit (col. 20, lines 30-45 of Babula); and

an output unit which outputs a result of preparation of a report by the report preparing unit via a network (col. 20, lines 46-59 of Babula).

(F) Referring to claim 7, Babula discloses an information collection and provision method, comprising (abstract of Babula):

a first storage step of storing medical apparatus information which indicates an operation state of a medical apparatus, acquired via a network in a data table (Fig. 1, col. 6, lines 56-67, and col. 1, line 65 – col. 2, line 8 of Babula);

a user identification step of authenticating user identification information (ID) acquired from a remote terminal apparatus (col. 15, line 67 – col. 16, line 17 of Babula);

a second storage step of storing report delivery condition information acquired from the terminal apparatus in association with the user identification information (ID) in a data table (col. 10, lines 44-59 and col. 16, lines 18-56 of Babula);

a report delivery judgment step of judging whether or not it is a time for delivering a report on the basis of the data table in which the medical apparatus information is stored in the first storage step, and the report delivery condition information (col. 19, lines 8-66 of Babula);

a report preparation step of preparing a report on the basis of the result of judgment by the report delivery judgment step (col. 20, lines 30-45 of Babula); and

an output step of outputting a result of preparation of a report by the report preparation step via a network (col. 20, lines 46-59 of Babula).

(G) Referring to claim 8, Babula discloses an information collection and provision method, comprising (abstract of Babula):

a first storage step of storing medical apparatus information which indicates an operation state of a medical apparatus, acquired via a network in a data table (Fig. 1, col. 6, lines 56-67, and col. 1, line 65 – col. 2, line 8 of Babula);

a user identification step of authenticating user identification information (ID) acquired from a remote terminal apparatus (col. 15, line 67 – col. 16, line 17 of Babula);

a second storage step of storing report output format information which is acquired from the terminal apparatus, in association with the user identification information (ID) in a data table (col. 20, lines 30-45, col. 10, lines 44-59, and col. 16, lines 18-56 of Babula);

a report preparation step of preparing a report for users using the medical apparatus information on the basis of the report output format information (col. 20, lines 30-45 of Babula); and

an output step of outputting a result of preparation of a report by the report preparation step via a network (col. 20, lines 46-59 of Babula).

(H) Referring to claim 9, Babula discloses an information collection and provision method, comprising (abstract of Babula):

a first storage step of storing medical apparatus information which indicates an operation state of a medical apparatus, acquired via a network in a data table (Fig. 1, col. 6, lines 56-67, and col. 1, line 65 – col. 2, line 8 of Babula);

a user identification step of authenticating user identification information (ID) acquired from a remote terminal apparatus (col. 15, line 67 – col. 16, line 17 of Babula);

a second storage step of storing report delivery time information which is acquired from the terminal apparatus, in association with the user identification information (ID) in a data table (col. 12, lines 5-41, col. 10, lines 44-59, and col. 16, lines 18-56 of Babula);

a report delivery judgment step of judging whether or not it is a time for delivering a report on the basis of the data table in which the medical apparatus information is stored in the first storage step, and the medical apparatus information (col. 19, lines 8-66 of Babula);

a report preparation step of preparing a report on the basis of the result of judgment by the report delivery judgment step (col. 20, lines 30-45 of Babula); and

an output step of outputting the result of preparation of a report by the report preparation step via a network (col. 20, lines 46-59 of Babula).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the



invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Babula et al. (US 6,353,445 B1) in view of Campbell et al. (US 2004/0123244 A1).

(A) Referring to claim 4, Babula does not expressly disclose wherein the report preparing unit includes: a template selection module which selects a desired template out of plural templates defining contents, an arrangement, and a format of a report stored in the second data table; a template setting module which changes the selected template to a template for desired contents, arrangement, and format and prepares a new template; and a format setting module which changes a font size, a font color, a graph color, and a background color of the template to desired ones.

Campbell discloses a template selection module which selects a desired template out of plural templates defining contents, an arrangement, and a format of a report stored in the second data table (abstract of Campbell); a template setting module which changes the selected template to a template for desired contents, arrangement, and format and prepares a new template (para. 37 and para. 38 of Campbell); and a format setting module which changes a font size, a font color, a graph color, and a background color of the template to desired ones (para. 43, para. 50, para. 34, and para. 4 of Campbell).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the aforementioned features of Campbell within Babula. The motivation for doing so would have been for the user to choose how to share and present information quickly and easily (para. 5 and para. 8 of Campbell).

***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited but not applied prior art teaches an imaging system protocol handling method and apparatus (US 2001/0018659 A1).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LENA NAJARIAN whose telephone number is (571) 272-7072. The examiner can normally be reached on Monday - Friday, 9:30 am - 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, C. Luke Gilligan can be reached on (571) 272-6770. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3626

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/L. N./  
Examiner, Art Unit 3626  
In  
6/18/08

/Robert Morgan/  
Primary Examiner, Art Unit 3626